

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA, <i>ex. rel.</i>)	
JEREMY STEVENS,)	
)	
Plaintiff,)	
v.)	Civil Case No. 17-cv-00031-GAF
)	
IVXPRESS, INC.; <i>et al.</i> ,)	
)	
Defendants.)	

THE UNITED STATES' AND RELATOR'S NOTICE OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), the United States and Relator Jeremy Stevens dismiss this action without prejudice, as set forth below and subject to the terms of the settlements:

1. Pursuant to Rule 41(a)(1)(A), plaintiffs may dismiss cases without a court order by filing a notice of dismissal before the opposing party serves an answer or a motion for summary judgment. Here, defendants were not served with the Complaint. Accordingly, they did not file an answer or motion for summary judgment.

2. Effective March 26, 2019, the Relator; IVXpress, Inc.; Infusion Express of Kansas, LLC; and the United States entered into a settlement agreement (the IVX Settlement Agreement). Pursuant to the Settlement Agreement, the Relator and the United States stipulated and consented to the dismissal of this action with respect to claims against IVXpress, Inc. and Infusion Express of Kansas, LLC as follows: (a) with prejudice as to the Relator for all claims; (b) with prejudice as to the United States as to the "Covered Conduct," as that term is defined in the IVX Settlement Agreement; and (c) without prejudice as to the United States for any claims in this action that are not specifically released by the United States in the IVX Settlement Agreement.

3. Effective August 5, 2019, the Relator, and Donald Peterson LLC; and the United States entered into a settlement agreement (the Peterson Settlement Agreement). Pursuant to the Settlement Agreement, the Relator and the United States stipulated and consented to the dismissal of this action with respect to claims against IVXpress, Inc. and Infusion Express of Kansas, LLC as follows: (a) with prejudice as to the Relator for all claims; (b) with prejudice as to the United States as to the “Covered Conduct,” as that term is defined in the Peterson Settlement Agreement; and (c) without prejudice as to the United States for any claims in this action that are not specifically released by the United States in the Peterson Settlement Agreement.

A proposed order is submitted herewith.

Respectfully submitted,

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